REMARKS

Claims 1, 3-6 are pending in the application. Claim 2 was canceled and Claims 3, 5 and 6 were withdrawn due to a restriction requirement. Claims 1 and 4 have been amended. New claim 7 is provided, support for which can be found in the specification as filed, including the table provided on page 7 of the application as filed. No new matter has been added.

Claim Rejections under 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,618,258 issued to Kroyer.

Applicant asserts that the technical solution as provided in amended claim 1 is neither disclosed nor anticipated by Kroyer. Kroyer teaches a cooking surface comprised of rounded depressions in combination with tops such that the cross sectional shape of the surface has a wavy form, which provides for the depressions and tops being formed continuously across the cooking utensil surface (See Fig. 1-6, 8, col. 2, ln. 1-14 and 39-40, and col. 3 ln. 8-10.) Specifically, Kroyer fails to teach "convex units" as provided in claim 1. Figures 2, 4, 6 and 8 provide for various embodiments of the convex units projecting from the surface of a cooking utensil. Kroyer on the other hand teaches a wavy form surface comprised of depressions and tops, which is significantly divergent from a surface having separate convex units having a spherical crown shape. The wavy form surface as required by Kroyer provides tops that flow directly and continuously into depressions and vice-versa, which forms the cooking utensil surface. This type of cooking utensil surface is substantially different than the surface of claim 1 providing convex units projecting from a cooking utensil surface.

Furthermore, it is noted that amended claim 1 provides a non-stick cooking utensil having inner walls, wherein the inner walls have a non-smooth surface with convex units, the height (h) of the inits ranges from 20 μm to 999μm and the projection area of the convex units on the surface of the inner wall ranges from 314 μm^2 to 783,431 μm^2, each convex unit has a spherical crown shape and a bottom circle diameter (Φ) of the spherical crown ranges from 20μm to 99μm, wherein the distribution density of the convex units, defined as the ratio of the total geometrical projection area of the convex units on the base body surface of the inner wall

to the area of the base body surface, ranges from 10% to 60%; and wherein an oxidized surface film is formed on the surfaces of the non-smooth convex units.

It is evident that a non-stick cooking utensil having a non-smooth surface with convex units having a spherical crown shape with specific dimensions and distribution design as defined in claim 1 in combination with an oxidized film formed on the surface of the convex units is not provided within the disclosure of Kroyer. This combination provides the effect of an optimized detaching of the non-stick cooking utensil from food and that it minimizes the adhesive strength between the food and the inner wall or bottom wall of the utensil. (See page 4, lines 13-17). Specifically, the convex units of the invention promote water repellency of the cooking utensil surface and reduce contact area between the cooking utensil surface and sticky-wet foods. The sticking intensity and stickiness between the cooking utensil and food is reduced. In combination with the oxidized film, the sticking intensity between the food and the utensil is further reduced.

Accordingly, Applicant believes amended claim 1 is in condition for allowance and respectfully requests favorable reconsideration.

Claim Rejections under 35 U.S.C. § 103

Claim 1 is rejected under 35 U.S.C. 103(a) as being obvious over Koyer in view of U.S. Patent No. 5,921,173 issued to Grycan et al. ("Grycan") and U.S. Patent No. 3,473,952 issued to McFadden. As noted above, Koyer fails to teach or suggest the invention defined by amended claim 1. Furthermore, neither the shape nor the dimensions of the depressions/protrusions teach or suggest the convex units as provided in the present invention.

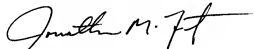
Claim 4 is rejected under 35 U.S.C. 103(a) as being obvious over Koyer in view of Grycan and McFadden and further in view of U.S. Patent No. 6,613,430 issued to Culbertson et al. ("Culbertson"). Claim 4 has been amended and is dependent upon amended claim 1. For the same reasons as claim 1, Applicant believes the cited references do not teach nor suggest the invention provided in claim 4.

Accordingly, Applicant believes amended claims 1 and 4 are in condition for allowance and respectfully requests favorable reconsideration.

CONCLUSION

In light of the foregoing, Applicants respectfully request withdrawal of the claim objections and rejections, and allowance of the claims. Should any questions remain, the Examiner is encouraged to contact the undersigned at the number below.

Respectfully submitted,



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